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C O N F I D E N T I A L SECTION 01 OF 02 BAKU 000674

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SUBJECT: AZERBAIJAN: HUMAN RIGHTS ISSUES ROUNDUP, AUGUST
10-24

REF: BAKU 644 AND PREVIOUS

Classified By: Political-Economic Counselor Robert Garverick, Reasons 1
.4 b and d.

¶1. (U) This cable is the first of a regular series that will summarize major ongoing human rights issues in Azerbaijan. This series aims to pull together many different sources of information into one readable biweekly summary of human rights cases, with the aim of giving a fuller picture of Azerbaijan's complex political environment.

TIP National Referral Mechanism Adopted

¶2. (U) The GOAJ's Cabinet of Ministers adopted the "Regulation of National Referral Mechanism (NRM) for work with victims of trafficking" on August 13. The NRM envisions the establishment of an interagency commission for its implementation. The Commission will consist of representatives of the Ministries of Internal Affairs, National Security, Education, Health, Justice, Foreign Affairs, Labor and Social Protection, Youth and Sports, Culture and Tourism, as well as the Prosecutor General's Office, State Customs Committee, State Committee on Family, Women, and Children's Affairs, State Border Service, and the State Migration Service. The Commission will conduct at least one meeting per year with the national coordinator on anti-trafficking, which is currently a deputy minister of internal affairs. The NRM was part of the GOAJ's National Action Plan on combating TIP, passed in February, but its adoption was delayed within the Cabinet of Ministers until now.

Another Hearing and Another Charge for Detained Bloggers

¶3. (C) On August 24 the Sabail District Court held a preliminary hearing in Hikmet Hajizade's, father of detained blogger Adnan Hajizade, lawsuit against Ministry of Internal Affairs (MIA) for not allowing a visit to his son (reftel). This hearing was open to the public for the first time in any hearing related to this case. The next hearing will be held in early September. Also on August 24 the lawyers for Hajizade and Emin Milli held a press conference where they announced that the MIA had charged the two men with a new crime * infliction of minor bodily injuries -- which carries a sentence of up to 2 years. In a private conversation with EmbOff, the lawyers admitted this charge had been brought several weeks ago, but they were now making it public.
(COMMENT: This additional, less severe charge may indicate

the GOAJ will give the two men a lighter sentence, in lieu of the heavier sentence associated with hooliganism. Also, it may indicate the men are not going to be found not guilty of any crime, or, alternatively, that one or two of the men could face multiple indictments. END COMMENT.)

Small Village Confronts Police Over Property Rights

¶4. (U) On August 5 residents of the Hokmali village of the Binagadi District outside Baku allegedly attacked local police and employees of the State Oil Company of Azerbaijan (SOCAR) who had come to the village to destroy houses they claimed were illegally built. According to pro-GOAJ newspapers, 20 policemen and SOCAR employees were injured in this confrontation, which largely consisted of villagers throwing rocks at the oncoming bulldozers. Seven villagers have been detained after the incident, with four receiving sentences of two months pre-trial detention while the incident is investigated. Representatives of the Human Rights Ombudswoman visited those detained, and called for a fair investigation of the incident.

¶5. (C) Human rights defender Elchin Behbudov told poloff that while the residents did start the violence in this instance, the true culprit in this story is the head of the municipal council. According to Behbudov, this man took bribes from these people to issue permits to build on this land, knowing that it belonged to SOCAR. Behbudov claims this man, and others on the municipal council, have been arrested and are being held in pre-trial detention by the Ministry of National

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Security.

NGO Sues State Support Fund for NGOs

¶6. (C) On August 3 the Yasamal District Court conducted a preliminary hearing on the lawsuit filed by the head of The Way of Melancholy (Hasrat Yolu) Public Association Esmira Orujova against the State Support Council for NGOs. As Orujova explained to EmbOff, she originally filed an application to the State Council asking for a grant of 18,610 AZN (22,695 USD), but the Council offered her 7,000 AZN (8,535 USD) instead. When she appealed this decision through the official channel, the Council canceled the grant entirely and threatened to appeal to the Ministry of Justice to revoke the registration of the NGO. The Yasamal District Court ruled on August 3 that the case should be heard in the Court of Economic Issues, rather than in the regular civil court. Privately, Orujova explained to EmbOff that many of the projects which received grants from the State Council belong to members of the Council or their close relatives and friends. Orujova also stated that many of the project that received grants are on unimportant topics, or topics that do not comply with the Council's regulations.

Human Rights Defenders Sue "Journalist"

¶7. (C) On August 19 the Narimanov District Court ruled in favor of Elchin Behbudov, head of the Azerbaijan Committee Against Torture, in his lawsuit against "Milletim" newspaper editor-in-chief Faramaz Novruzoglu. The lawsuit stemmed from a series of articles published in "Milletim" which accused Behbudov and another human rights defender Chingiz Ganizade of hiding crimes they witnessed in prison colonies. Behbudov demanded 100,000 AZN (122,000 AZN) in compensation for libel and insult. The judge ruled that Novruzoglu should pay 1,500 AZN (1,830 USD) and publish a refutation and an apology. In a meeting with poloff, Behbudov explained that he brought several heads of prisons to the court to refute the claims in the articles, and that Novruzoglu has been convicted of libel six times previously. Chingiz Ganizade has also filed a lawsuit demanding Novruzoglu be imprisoned, as Ganizade

believes Novruzoglu insulted his father as well. This case has yet to be decided in court, and Novruzoglu plans to appeal the decision in Behbudov's lawsuit.

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